GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Prohibition & Excise Department – Allegation of Criminal Misconduct and Criminal Conspiracy against Sri P.Nagabhushanam, Prohibition & Excise Inspector, East Godavari Dist.(Retd) for his involvement in Liquor Syndicate Case – Disciplinary action initiated – Delinquent officer placed on his defence before the Tribunal for Disciplinary proceedings – Orders of Hon'ble High Court dated 12.02.2020 in W.P. No 3286/2020 – Implemented – Orders – Issued.

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REVENUE (VIGILANCE.I)DEPARTMENT

G.O.Rt.No.807 **Dated:27.12.2021**

Read the following:

1. From the D.G., ACB, Lr.Rc.No.57/RCO-VKI/2012, Dt:06.11.2012.
2. Govt.Memo.No.49988/Vig.V(2)/2012, Dated:16.01.2013.
3. G.O.Rt.No.1642, Revenue (Vig.IV) Department, dated:27.11.2018.
4. Orders dt:12.02.2020 of the Hon'ble High Court in W.P.No.1443 of 2020 filed by Smt. K.Ammaji Asst. P&E Superintendent West Godavari Dist.(Retd).

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ORDER:

Whereas, it was brought to the notice of the Government that Sri P.Nagabhushanam, Prohibition & Excise Inspector, East Godavari.(Retd) while he was in service involved in disciplinarily case pertaining to liquor syndicate cases of East Godavari District among the other Prohibition & Excise officials. After conducting detailed enquiry, the Director General, Anti Corruption Bureau in his final report Dt.06.11.2012 recommended to place Sri P.Nagabhushanam, Prohibition & Excise Inspector, East Godavari.(Retd) on his defence before Tribunal for Disciplinary Proceedings (TDP) along with other Prohibition & Excise officials.

2. After careful examination of the recommendations of the D.G., ACB, Government have taken a decision to entrust the case to the Tribunal for Disciplinary Proceedings (TDP) including Sri P.Nagabhushanam, Prohibition & Excise Inspector, East Godavari.(Retd), vide Memo 2nd read above. Further Part-B Notes duly signed by the competent authority were sent to the TDP for regular Inquiry along with other prohibition and Excise Officials vide Govt. Memo dated:17.06.2013. Charge Memo was issued by the Tribunal for Disciplinary Proceedings vide Tribunal Enquiry Case No. 312/2013 dated 03.08.2018.

3. Sri P.Nagabhushanam, Prohibition & Excise Inspector, East Godavari.(Retd) has filed Writ Petition No.3286 of 2020 before the Hon'ble High Court with a prayer to set aside the above said charge memo and requested for pensionery benefits. The Hon'ble High Court has passed the following order on 30.12.2020 in the above Writ Petition:-

"On a reading of the written instructions and what is disclosed in the writ petition, it is clear that though the petitioner was served with a charge memo in August, 2018, till date, there has been no progress, whatsoever. While it may be true that 26 officials are involved and witnesses are yet to be examined in this case, it does not give the liberty to the respondents to indefinitely postpone the enquiry. Even if there are many witnesses, this Court finds that no explanation whatsoever is given for the subsequent delay. Nevertheless, in view of the submissions made by the learned Government Pleader for Services, this Court is of the opinion that the writ petition can be disposed of with appropriate direction. Accordingly, the 3rd respondent herein is directed to complete the proceedings in all respects within a period of six (6) months from the date of receipt of a copy of this order. The petitioner is also directed to cooperate till disposal of the matter".

With the above direction, writ petition is disposed of. No costs."

5. Sri P.Nagabhushanam, Prohibition & Excise Inspector, East Godavari.(Retd) has filed C.C.No.2038/2021 for not implementing the orders dt :30.12.2020 of learned single Judge passed in W.P. No.3286 of 2020.

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6. Government, after careful examination of the matter, and in compliance and due respect to the orders dated:30.12.2020 of the Hon'ble High Court of A.P passed in W.P.No.3286 of 2020, hereby release all the pensioner benefits such as Encashment of earned leave, full pension, Gratuity to Sri P.Nagabhushanam, Prohibition & Excise Inspector, East Godavari.(Retd), subject to outcome of the Writ Appeal to be filed before the Hon'ble High Court of Andhra Pradesh,

7. The Commissioner of Prohibition and Excise shall take necessary further action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA RADESH)

Dr.RAJAT BHARGAVA
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To

Sri P.Nagabhushanam,Prohibition & Excise Inspector, East Godavari.(Retd) through Commissioner, Prohibition and Excise, Andhra Pradesh, Vijayawada.

The Commissioner of Prohibition and Excise, Andhra Pradesh, Vijayawada.

Copy to:

The Director General, Anti Corruption Bureau, Andhra Pradesh, Vijayawada.

The Secretary to Andhra Pradesh Vigilance Commission, Andhra Pradesh Secretariat, Velagapudi.

The Government Pleader for Services - I, Andhra Pradesh High Court, Amaravati. w.r.t Writ Peition.No.3286/2021.

The Director of Treasuries and Accounts, Andhra Pradesh, Vijayawada.

Sf/Sc

// FORWARDED BY ORDER //

SECTION OFFICER